

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

UNIMAVEN, INC.,

Plaintiff,

v.

TEXAS TR, LLC, *et al.*,

Defendants.

Civil Action No. 17-12008 (SDW) (LDW)

**ORDER**

October 5, 2020

**WIGENTON**, District Judge.

This matter, having come before this Court on Plaintiff Unimaven Inc.’s (“Plaintiff”) Motion for Default Judgment against Defendant Texas TR, LLC (“TTR”) pursuant to Federal Rule of Civil Procedure (“Rule”) 55; Plaintiff’s Motion for Summary Judgment against Defendant Shmaya Marinovsky<sup>1</sup> (“SM”) pursuant to Rule 56; SM’s Cross-Motion for Summary Judgment pursuant to Rule 56; and Plaintiff’s Motions for Sanctions against TTR, SM, and Becker & Poliakoff, LLP, pursuant to Rules 37 and 11;

**WHEREAS**, on September 8, 2020, this Court **GRANTED** Plaintiff’s Motion for Default Judgment against TTR (D.E. 86) in part with respect to its breach of contract claim, with the requirement that Plaintiff submit supplemental documentation in support of its claimed damages of \$159,309.17 within thirty (30) days.

**WHEREAS**, on October 2, 2020, Plaintiff submitted satisfactory supplemental documentation in support of its claimed damages of \$159,309.17 in accordance with this Court’s

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<sup>1</sup> Shmaya Marinovsky is also referred to as “Sam Marino” in the case caption and the parties’ briefing.

September 8, 2020 Order. (*See* D.E. 101-1.)

**WHEREAS**, on September 8, 2020, this Court **GRANTED** Plaintiff's Motion for Sanctions pursuant to Rule 37 against TTR (D.E. 86) for failure to obey the Court's February 13, 2019 and April 4, 2019 orders, with the requirement that Plaintiff submit supplemental documentation in support of its claimed attorneys' fees of \$29,500 within thirty (30) days.

**WHEREAS**, on October 2, 2020, Plaintiff submitted supplemental documentation in support of its claimed attorneys' fees in accordance with this Court's September 8, 2020 Order spanning from October 2017 to February 2020, totaling \$30,346.88. (*See* D.E. 101.)

**IT IS** on this 5th day of October, 2020

**ORDERED** that judgment against Defendant TTR and in favor of Plaintiff be entered in the amount of \$159,309.17; and it is further;

**ORDERED** that Plaintiff is entitled to reasonable attorneys' fees as a sanction against TTR pursuant to Rule 37 in the amount of \$17,609.43.<sup>2</sup>

/s/ Susan D. Wigenton  
**SUSAN D. WIGENTON, U.S.D.J.**

Orig: Clerk  
cc: Leda D. Wettre, U.S.M.J.  
Parties

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<sup>2</sup> Plaintiff's attorneys' fees are limited to invoices from February 2019 onward in light of this matter's procedural history and this Court's September 8, 2020 opinion, which sanctioned TTR for failure to comply with the Court's February 13, 2019 and April 30, 2019 discovery orders.